

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 04-7654

JAMES WILLIAM BERRY, SR.,

Plaintiff - Appellant,

versus

THOMAS MCBRIDE, Warden, "Newly Appointed";
JAMES RUBENSTEIN, Commissioner of Corrections;
MICHAEL COLEMAN, Deputy Warden; BETTY SLAYTON,
Magistrate of M.O.C.C.; CARL SHELLINGS, Unit
Manager; WILLIAM KINCAID, Unit Manager;
PETRISHA HENDSHEW, Postal Sup.; BRIAN STUMP,
Correctional Officer,

Defendants - Appellees.

and

CORRECTIONAL MEDICAL SERVICES,

Defendant.

Appeal from the United States District Court for the Southern
District of West Virginia, at Beckley. David A. Faber, Chief
District Judge. (CA-02-856)

Submitted: February 24, 2005

Decided: March 7, 2005

Before NIEMEYER, WILLIAMS, and KING, Circuit Judges.

Affirmed by unpublished per curiam opinion.

James William Berry, Sr., Appellant Pro Se. Charles Patrick
Houdyschell, Jr., WEST VIRGINIA DIVISION OF CORRECTIONS,
Charleston, West Virginia, for Appellees.

Unpublished opinions are not binding precedent in this circuit.
See Local Rule 36(c).

PER CURIAM:

James William Berry, Sr., appeals from the district court's order accepting the report and recommendation of the magistrate judge and denying relief on his 42 U.S.C. § 1983 (2000) complaint. We have reviewed the record and find no reversible error. Accordingly, we affirm for the reasons stated by the district court. See Berry v. McBride, No. CA-02-856 (S.D.W. Va. Sept. 30, 2004). We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

AFFIRMED